

6887. Calorie Control food concentrate. (F.D.C. No. 46071. S. No. 47-935 R.)

QUANTITY: 256 cases, containing 12 ctns. of 4 packets each; 68 cases, 120 packets each; 16 cases, containing 36 ctns. of 4 packets each; 1 case, containing 10 ctns. of 4 packets each; 250 ctns., 40 packets each; 28 ctns., 20 packets each; 402 ctns., 4 packets each; and 251 packets, at Detroit, Mich.

SHIPPED: 9-22-61 and 11-21-61, from Evanston, Ill., by Corel Distributors.

LABEL IN PART: (Ctn.) "The J. L. Hudson Company deluxe pre-measured Calorie Control food concentrate Four packets provide vitamins, protein, minerals, and 900 calories for dietary weight control 8 ozs. Net Wt. * * * 5 appetizing delicious flavors—Chocolate, Coffee, Butterscotch, Plain, and Root Beer * * * Ingredients:" and (packet) "* * * deluxe pre-measured Calorie Control food concentrate * * * Each Packet—Net Wt. 2 Ozs. * * * Each four packets of Chocolate flavor contain 70 gm. (30.8%) of protein. Each four packets of Butterscotch, Coffee, Plain, and Root Beer flavors contain 75 gm. (31.99%) of protein. The J. L. Hudson Company, Detroit, Michigan, Distributors."

ACCOMPANYING LABELING: Leaflets reading in part "* * * deluxe pre-measured Calorie Control food concentrate."

LIBELED: 7-14-61, E. Dist. Mich.

CHARGE: 502(a)—when shipped, the accompanying labeling contained false and misleading representations that the article was adequate and effective to prevent various ills; restore zest and vigor to people who complain of chronic fatigue; to act as a "spark plug of energy"; promote growth of children; prevent weak, tired, irritable, and cranky conditions; promote health; protect tissues from starvation; speed up the weight reducing process; prevent being weakened physically while reducing; maintain human energies at a high level; and cause the consumer to feel, look, and act years younger.

The article was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 10-24-61. Consent—claimed by J. L. Hudson Co. and released under bond for removal of the leaflets from the cartons.

6888. Coffee reducing diet. (F.D.C. No. 45748. S. No. 67-335 R.)

QUANTITY: 26 cases, 12 individually ctn'd. 7½-oz. jars each, and 57 individual jars, at Dallas, Tex.

SHIPPED: 2-15-61 and 3-20-61, from Chicago, Ill., by Fleetwood Co.

LABEL IN PART: (Jar) "Net Weight 7½ Oz. * * * Larson's C.R.D. A Bulking Dietary Food Supplement For use With Coffee Reducing Diet Each Ounce (4 Heaping Teaspoons) Contains: * * * Gelatin—Sucrose—Saccharin 110 Calories 13 Grams Protein—14 Grams Sucrose Distributed by Fleetwood Company—Chicago—Toronto."

ACCOMPANYING LABELING: Leaflet entitled "The Coffee Reducing Diet."

LIBELED: 5-9-61, N. Dist. Tex.

CHARGE: 502(a)—when shipped, the labeling accompanying the article contained false and misleading representations that the article was adequate and effective for reducing, for maintaining slimness, and as a treatment for and preventive of "all-gone feeling."

The libel alleged also that the article was misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: On 6-9-61, Fleetwood Co., claimant, filed an answer denying that the article was misbranded. On 9-25-61, the claimant having consented, a decree was entered condemning the article and ordering its destruction. The article was subsequently destroyed.

6889. Bicarbonate of soda. (F.D.C. No. 45496. S. No. 99-561 R.)

QUANTITY: 11 100-lb. bags and 24 cases, 24 1-lb. pkgs. each, at Bangor, Maine, in possession of Byron H. Smith Co., Inc.

SHIPPED: 11-2-60 and 11-22-60, from Barberton, Ohio and Peabody, Mass.

LABEL IN PART: (Pkg.) "Baking Soda Three Crow Soda Packed by The Atlantic Spice Co. Bangor, Maine."

RESULTS OF INVESTIGATION: The article in the packages was repacked and labeled by the dealer from the bulk stock shipped as described above. The dealer also had a number of empty retail packages on hand.

LIBELED: 3-3-61, Dist. Maine.

CHARGE: 502(a)—while held for sale, the label of the article contained false and misleading representations that it was an adequate and effective treatment for "sick" headache, eczema, colds, and for preserving enamel of the teeth.

DISPOSITION: 6-30-61. Consent—claimed by Byron H. Smith Co., Inc., and relabeled.

6890. Various prescription drugs. (F.D.C. No. 46235. S. Nos. 98-301/10 R.)

QUANTITY: 1,964 tablets and capsules and 38 other vials, bottles, or tubes, at Kansas City, Mo., in possession of Summit Pharmacy.

SHIPPED: On unknown dates, by various drug handlers.

LABEL IN PART: (Some labels) "Physician's sample," "Complimentary package," "Professional Sample," "Professional Sample—Not to be sold," and "Professional Trial Package."

RESULTS OF INVESTIGATION: The articles consisted of quantities of prescription drugs repacked from physicians samples into containers having labels bearing the brand name of the drugs, the "complimentary-professional sample" legend, and the names and addresses of manufacturers, packers, or distributors located outside the State of Missouri; and of quantities of prescription drugs which were not yet repacked, originally intended for use as samples, and still in the original sample package bearing the names and addresses of manufacturers, packers, or distributors located outside the State of Missouri.

LIBELED: 8-4-61, W. Dist. Mo.

CHARGE: 502(a)—while held for sale, the sample legend appearing on the labels affixed to the articles was false and misleading as applied to the articles in the possession of a repacker and intended for sale and not intended for use as "complimentary-not to be sold" samples for physicians and others lawfully engaged in dispensing prescription drugs.

DISPOSITION: 10-6-61. Default—destruction.

6891. Various prescription drugs. (F.D.C. No. 46251. S. Nos. 76-441/6 R, 76-457/60 R.)

QUANTITY: 5,069 tablets, 205 capsules, and 100 other vials and btl., at Charlotte, N.C., in possession of Sterling Drug Store, Inc.

SHIPPED: On unknown dates, by various drug handlers.